



RESPONSE UNDER 37 CFR 1.116 -  
EXPEDITED PROCEDURES -  
EXAMINING ART UNIT 3764  
TECHNOLOGY CENTER 3700  
June 12, 2005

*AFB*

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Commissioner for Patents  
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Art Unit 3764, Application No. 10/764,427  
Examiner: Mr. Tam M. Nguyen

Amendment 2

Applicant submits the following comments and changes in response to Final Office Action mailed June 6, 2005.

1. The Final Office Action rejected Claim 1 as "Chee discloses an apparatus comprising a frontal protrusion means (42) with a support (30,32) and a pendulum means (34) wherein the frontal protrusion means is worn by a user, the support effectively hangs the pendulum means, and the pendulum means is capable of providing hanging support to the ends of a user's lower arms to enhance arm-swing pendulum motion (see Fig. 2)."
2. In the above rejection, Examiner accurately and correctly applied Applicant's Claim 1 to describe Chee's apparatus. In preparation of said claim, Chee was not considered as his support system was deemed to be a different specie without any arm-swing merit or potential. In light of the rejection, the aim now is to establish novelty over Chee, by narrowing the presented Claim 1, to define pendulum means as parallel to upper arms, similar to Applicant's Figure 3.
3. Applicant requests to delete Claim 1 as previously submitted and to replace it with the following Claim 1, including the narrowing feature described in 2 above:

1. A Fast Arm-Swing Tether system comprising  
a frontal protrusion means with a support located in front of chest at a distance less than length of lower arm away from chest, and  
a pendulum means about parallel to upper arm;  
with said frontal protrusion means worn by an athlete;  
with said support at the frontal protrusion means effective to hang said pendulum means;  
with the pendulum means hanging from the support; and  
with the pendulum means effective in providing hanging support to ends of lower arms of said athlete so as to enhance arm-swing pendulum motion.

4. Chee's apparatus included a second set of supports (20 of Figure 2) connected to wearer's elbows. Combining with straps (30, 32) used in the rejection, Chee locked the wearer's lower arms in a triangular configuration with respect to the straps' support points. Thus any swinging motion of the lower arms would be locked into rigid rotations from the support points. However, actual swinging motion would be limited and awkward at best since upper arm motion must include shoulder rotations, different pivot points. In other words, wearer of Chee's device can not swing arms with ease, and indeed, Chee had designed his apparatus to support arms and to hold them steady for purposes of typing, rather than running.

5. Thus the current invention's arm-swing motion, facilitated by Figure 3 of application without elbow support strap 20 acting as diagonal brace or stiffener, can not be duplicated or imitated by Chee.

Applicant hopes the above discussion has been presented with sufficient clarity and convincing arguments and has adequately addressed the Final Office Action objections.

Sincerely,



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Mailing Certification

I hereby certify by my signature below that this correspondence will be deposited on June 13, 2005, with the USPS by First Class Mail postage prepaid to the address shown on the first page.

